



FOIA Office

U.S. COMMODITY FUTURES TRADING COMMISSION

Three Lafayette Centre
1155 21st Street, NW, Washington, DC 20581
www.cftc.gov

July 11, 2019

Taylor Amarel
MuckRock News
DEPT MR 55554
411A Highland Ave.
Somerville, MA 02144-2516

RE: 18-00096-FOIA

Dear Ms./Mr. Amarel:

This is in response to your request dated June 8, 2018, under the Freedom of Information Act seeking access to: All emails sent to, from, or copied to: J. Christopher Giancarlo, from January 1, 2016 to Present Day containing any of the following non-case-sensitive key-string: "liberals", "kushner", "Giuliani", "Mastroianni", "Elliott Broidy", "Mark Siffin", "EB-5", "George Nader", "Erik Prince", "alias", "FOIA", "Israel" or "whistleblower."

In accordance with the FOIA and agency policy, we have searched our records, as of June 8, 2018, the date we received your request in our FOIA office. We have located 3,376 pages of responsive records. I am granting partial access to, and am enclosing copies of, the accessible records. 1,526 full pages, and portions of the remaining pages, fall within the exemptions to the FOIA's disclosure requirements, as explained below.

Some responsive records constitute confidential commercial or financial information, which is exempt from disclosure under FOIA Exemption 4. 5 U.S.C. § 552(b)(4), *see also Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992).

Some responsive records contain staff analyses, opinions, and recommendations. Those portions are deliberative and pre-decisional and are an integral part of the agency's decision making process. They are exempt from the FOIA's disclosure requirements by FOIA Exemption 5. 5 U.S.C. § 552(b)(5); *see also NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132 (1975).

Some responsive records contain personal information, which is exempt from release under FOIA Exemption 6 because individuals' right to privacy outweighs the general public's interest in seeing personal identifying information. 5 U.S.C. § 552(b)(6); *see also The Lakin Law Firm v. FTC*, 352 F.3d 1122 (7th Cir. 2003).

If you have any questions about the way we handled your request, or about our FOIA regulations or procedures, please contact me at 202-418-5912, or Jonathan Van Doren, our FOIA Public Liaison, at 202-418-5505.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, email at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with this response to your request, you may appeal by writing to Freedom of Information Act Appeal, Office of the General Counsel, Commodity Futures Trading Commission, Three Lafayette Centre, 8th Floor, 1155 21st Street, N.W., Washington, D.C. 20581, within 90 days of the date of this letter. Please enclose a copy of your original request and a copy of this response.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rosemary Bajorek", with a long horizontal flourish extending to the right.

Rosemary Bajorek
Attorney-Advisor